



RECEIVED

SEP 12 2003

AMENDMENT TRANSMITTAL LETTER			CLIENT-MATTER NO. 66797-073 (P-IX 2947)	
SERIAL NO: 09/203,768	FILING DATE: 12/2/98	EXAMINER: L. Helms	GROUP ART UNIT: 1642 CONFIRMATION NO.: 4594	
INVENTION: TUMOR SPECIFIC HUMAN MONOCLONAL ANTIBODIES AND METHODS OF USE				

TECH CENTER 1600/2900

TO: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 9, 2003.

By: David A. Gay
David A. Gay, Reg. No. 39,200

September 9, 2003
Date of Signature

Transmitted herewith is a Response to the Office Action mailed March 11, 2003, in the above-identified application.

- ☒ Small Entity status of this application has been established under 37 CFR 1.27.
- ☒ Petition for Three-Month Extension of Time is enclosed (in duplicate).
- ☐ Terminal Disclaimer with fee under 37 C.F.R. 1.20(d) is enclosed.
- ☒ No additional claims fee is required.
- ☐ An additional claims fee is required and has been calculated as shown below:

CLAIMS AS AMENDED

	NUMBER AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR		NUMBER OF EXTRA CLAIMS PRESENTED		RATE			FEE	
							SMALL ENTITY	OTHER ENTITY		SMALL ENTITY	OTHER ENTITY
TOTAL CLAIMS	8	-	48	-	0	x	\$9	\$18	=	\$0.00	\$
INDEPENDENT CLAIMS	2	-	14	-	0	x	\$42	\$84	=	\$0.00	\$
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM			YES		NO		\$140	\$280	=	\$0.00	\$
							TOTAL ADDITIONAL FEE			\$	\$

* If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 20, write "20" in this space.

** If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 3, write "3" in this space.


*** If the difference between the "NUMBER AFTER AMENDMENT" and the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 0, write "0" in the space.

- ☒ Please charge my Deposit Account No. 502624 the amount of \$465.00 which covers the fee for a three-month extension of time. A duplicate copy of this sheet is enclosed.

Inventors: Watkins and Huse
Serial No.: 09/203,768
Filed: December 2, 1998
Page 2

- X The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 502624. A duplicate copy of this sheet is enclosed.
- X The Commissioner is hereby authorized to charge to Deposit Account No. 502624 any fees under 37 CFR 1.17 which may be required under 37 CFR 1.136(a)(3) for an extension of time in any concurrent or future reply requiring a petition for extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,



David A. Gay
Registration No. 39,200
McDERMOTT, WILL & EMERY
4370 La Jolla Village Drive
7th Floor
San Diego, California 92122
858-535-9001

RECEIVED

SEP 12 2003



PATENT

Our Docket: 6675+ TECH CENTER 1600/2900
(P-IX 2947)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Watkins and Huse

Serial No: 09/203,768

Filed: December 2, 1998

For: TUMOR SPECIFIC HUMAN
MONOCLONAL ANTIBODIES AND
METHODS OF USE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

) Confirmation No.: 4594

) Group Art Unit: 1642

) Examiner: L. Helms

) I hereby certify that this correspondence
) is being deposited with the United States
) Postal Service as first class mail in an
) envelope addressed to: Commissioner for
) Patents, P.O. Box 1450, Alexandria, VA
) 22313-1450 on September 9, 2003.

By: David A. Gay
David A. Gay, Reg. No. 39,200

September 9, 2003
Date of Signature

32/F
JM
9/30/03

RESPONSE TO OFFICE ACTION

Responsive to the Office Action mailed March 11, 2003,
entry of the below Amendments and consideration of the following
Remarks is respectfully requested.

Amendments to the claims begin on page 2 of this paper.

Remarks begin on page 4 of this paper.

Inventors: Watkins and Huse
Serial No.: 09/203,768
Filed: December 2, 1998
Page 2

AMENDMENTS

Please cancel claims 7-46 without prejudice.

Please amend the claims as follows:

1. (previously amended) A human monoclonal antibody or functional fragment thereof, comprising the amino acid sequence of SEQ ID NO:2, or having a conservative substitution of an amino acid thereof, and the amino acid sequence of SEQ ID NO:4, or having a conservative substitution of an amino acid thereof, wherein said antibody or functional fragment thereof binds a neoplastic cell or antigen thereof and wherein said antibody or functional fragment thereof having a conservative substitution of an amino acid binds the same neoplastic cell or antigen thereof as said antibody or functional fragment comprising SEQ ID NOS:2 and 4.

2. (original) The human monoclonal antibody of claim 1, wherein said functional fragment is selected from the group consisting of Fv, Fab, Fab', or F(ab')₂.

3. (original) The human monoclonal antibody or functional fragment of claim 1, further comprising a label.

4. (original) The human monoclonal antibody or functional fragment of claim 3, wherein said label comprises a cytotoxic or cytostatic agent.

Inventors: Watkins and Huse
Serial No.: 09/203,768
Filed: December 2, 1998
Page 3

5. (original) A pharmaceutical composition, comprising the human monoclonal antibody or functional fragment of claim 1 and a pharmaceutical carrier.

6. (currently amended) A human monoclonal antibody of functional fragment thereof, comprising a heavy chain variable region having the three CDR sequences of the amino acid sequence of SEQ ID NO:2, or having a conservative substitution of an amino acid thereof, and a light chain variable region having the three CDR sequences of the amino acid sequence of SEQ ID NO:4, or having a conservative substitution of an amino acid thereof, wherein said antibody or functional fragment thereof binds a neoplastic cell or antigen thereof and wherein said antibody or functional fragment thereof having a conservative substitution of an amino acid binds the same neoplastic cell or antigen thereof as said antibody or functional fragment comprising SEQ ID NOS:2 and 4.

Claims 7-46 canceled.

47. (original) The human monoclonal antibody or functional fragment of claim 1, further comprising a physiologically acceptable compound.

48. (original) The human monoclonal antibody of claim 1, wherein said human monoclonal antibody is purified.
